

ATTORNEY DOCKET NO. 50074/004003

Certificate of Mailing: Date of Deposit: September 2, 1999

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Mary Jane DiPalma

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Donald A. G. Mickle et al.

Art Unit:

1633

Serial No.:

09/363,100

Examiner:

Filed:

July 29, 1999

Title:

IMPROVEMENT OF CARDIAC FUNCTION BY MESENCHYMAL STEM

CELL TRANSPLANTATION

Assistant Commissioner of Patents

Washington, D.C. 20231

PETITION TO CORRECT FILING RECEIPT

Applicant requests that the attached filing receipt be corrected as follows:

title to read --IMPROVEMENT OF CARDIAC FUNCTION BY MESENCHYMAL STEM

CELL TRANSPLANTATION--

Attached are copies of the incorrect filing receipt and the application coversheet to note the correct title.

If there are any charges, or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted.

Reg. No. 39,109

Clark & Elbing LLP 176 Federal Street

Boston, MA 02110 Telephone: 617-428-0200

Facsimile: 617-428-7045

FILING RECEIPT



DOCKETED FOR

UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTORNEY | DOCKET NO. | DRWGS | TOT CL | IND CL |
|--------------------|-------------|--------------|---------------|----------|------------|-------|--------|--------|
| 09/363,100 | | 1633 | \$832.00 | | | 16 | 24 | 3 |

KRISTINA BIEKER-BRADY AT CLARK & ELBING 176 FEDERAL STREET BOSTON MA 02110

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Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center: Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

DONALD A.G. MICKLE, TORONTO, CANADA; REN-KE LI, SCARBOROUGH, CANADA; RICHARD D. WEISEL, TORONTO, CANADA.

CONTINUING DATA AS CLAIMED BY APPLICANT-PROVISIONAL APPLICATION NO. 60/094,794 07/31/98 PROVISIONAL APPLICATION NO. 60/129,152 04/14/99

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 08/17/99 TITLE

*CARDIAC FUNCTION BY MESENCHYMAL STEM CELL TRANSPLANTATION

improvement of

PRELIMINARY CLASS: 424

DATA ENTRY BY: ANISTEAD, KIRK

TEAM: 04 DATE: 08/17/99

Certificate of Mailing

Date of Deposit July 29, 1999

Label Number: EL300789445US

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Sandra E. Marxen

Printed name of person mailing correspondence

Signature of person mailing correspondence



APPLICATION

FOR

UNITED STATES LETTERS PATENT

APPLICANT

DONALD A.G. MICKLE

REN-KE LI

RICHARD D. WEISEL

TITLE

IMPROVEMENT OF CARDIAC FUNCTION BY

MESENCHYMAL STEM CELL TRANSPLANTATION



UNITED STATES DEPARTMENT OF COMME ASSISTANT SECRETARY AND COMMISSIONER E COPY OF PATENTS AND TRADEMARKS Washington, D.C. 20231

Title of Invention

Dear Applicant or Attorney of Record:

| with y | In response to your request for a corrected Filing Receipt, we are unable to comply your request because: |
|--------|---|
| | The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title. |
| | The words "new," "improved," "improvement," "improvements in or relating to" are not included as first words in the title of an application because a patent application is, by its nature, a new idea or improvement. See MPEP 606.01. |
| | The title may be truncated if it consists of more than 280 characters (letters and spaces combined). |
| | Only one character per space is allowed. Therefore, punctuation which is usually placed above or below a letter, such as an umlaut (), cannot be included on the Filing Receipt. |
| | Greek symbols of the alphabet will be spelled out. |
| | Superscript and subscript are not possible. They will appear on the same line. |
| | Lower case characters are not possible. |
| | The title is correct as taken from the first page of the specification per 37 CFR 1.72. |

Any corrections that may need to be done to your Filing Receipt should be directed to:

The title of the invention appears in capital letters.

Assistant Commissioner for Patents Office of Initial Patent Examination Customer Service Center Washington, DC 20231